



**MINUTES OF THE GILA COUNTY  
PLANNING AND ZONING COMMISSION**

**Thursday, August 17, 2017**

GILA COUNTY BOARD OF SUPERVISORS HEARING ROOM

1400 East Ash Street, Globe, AZ

10:00 AM

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**REGULAR MEETING**

1. The meeting was called to order at 10:00 A.M. by Chairman Mickie Nye.
2. Pledge of Allegiance was led by Bill Marshall.
3. Roll Call: Therese Berumen called the roll; Chairman Mickie Nye (in Globe), Mary Lou Myers (in Payson), Travis Holder (in Globe), Terry Otts (in Globe), and Bill Marshall (in Globe). Randy Slapnicka and Lori Brown are absent. A quorum is present.

Community Development Staff Members Present: Scott Buzan-Director and Therese Berumen-Administrative Assistant.

4. Review and Approval of Minutes of the Planning and Zoning Commission Hearing on June 15, 2017. Mickie Nye asked if there were any changes needed. Scott Buzan mentioned that on page 1, item number 6, second sentence, it states feet instead of square feet. Therese Berumen stated she would correct it. Mary Lou Myers motioned that the minutes be approved as is with that one change and Travis Holder seconded the motion. It was unanimously approved.
5. **Director/Planner/Commission Communication:** At any time during this meeting, The Planning and Zoning Commission, Director Scott Buzan of Community Development and/or Planner Robert Gould may present a brief summary of current events. No action may be taken.

Mickie Nye introduced Supervisor Humphrey and thanked him for coming and having an interest in the Planning & Zoning Commission. Mickie Nye also wanted to introduce Scott Buzan, who has graciously accepted the promotion to Community Development Director. Scott Buzan stated that he had updates on a couple of projects that are in the works and a couple of other items that are dealing with the division itself. Firstly, the Elk Rim Subdivision final plat update. This was scheduled to go before the Board of Supervisors on August 21, 2017. It was pushed back to early September. We heard back from the Deputy County Attorney and there is a list of conditions that he would like met before it is brought before the Board. I have a meeting set up with Mr. Dalton (Deputy County Attorney) in regards to these conditions. It is possible that this will have to be brought before the Planning & Zoning Commission again, before it is brought to the

Board of Supervisors. Secondly, Madera Peaks Estates final plat is being worked through by the engineer for the project and the director of Public Works concerning roads and drainage. This may also have to be brought before the Planning & Zoning Commission again. I will keep you informed of these two items. As far as replacing Mr. Gould as our planner, I have been in discussion with the county manager about hiring a part time planner or a full-time planner. Right now, we are just in the discussion stage. Finally, for the building official position, we are conducting interviews. Mickie Nye asked Scott Buzan if he would please discuss the new process for appeals. Scott Buzan stated that right now we use a Gila County Hearing Officer, which is an employee of Gila County, for Community Development, Code Enforcement and Animal Control. We are looking into contracting that out, basically having a neutral third party as our hearing officer. It is in the process of being looked at. The staff has also worked on revising the ordinance. There are 2 or 3 ordinances that deal with this and we are looking into making it just one, then there will just be rules and procedures for the different divisions. I am in the process of updating our rules and procedures and I know Animal Control is doing the same. It is currently sitting on the Deputy County Attorney's desk. When that will come out, I don't know. This is nothing that has taken place yet. It is still the previous procedures that we have been doing and we will proceed with that until it goes in front of the Board of Supervisors, which I don't anticipate for another month or two.

#### **Public Hearing:**

6. **Z-17-02 Gorton and Hunt:** An application to amend the Gila County Zoning Ordinance for parcels 301-14-005 and 301-14-010E currently designated for Residential Use (R1-D12) to Transitional Residential (TR), to bring parcels consistent with current zoning on a portion of Parcel 301-14-010E and zone appropriately for expanded farm use on Parcel 301-14-005. Scott Buzan presented his staff report. This rezoning involves two parcels located in Pine, AZ. I am just going to use the last 3 digits of the parcel number to identify these parcels, so 005, which is operating a lavender farm with retail sales and 010E has split zoning, which they are requesting to have a single zoning designation. Parcel 005 could have obtained a Conditional Use Permit for the farm operation, but chose rezoning due to the fact that the owner wishes to possibly host an annual lavender festival on the rear portion of the property. While a festival will be compatible with TR zoning, a Temporary Use Permit (TUP) will also be required. I would like to emphasize, that the approval of the rezoning application should not be predicated upon something that may happen in the future, i.e., the festival, but on what the current use would be. Staff has received multiple letters of support and one letter in opposition, which were included in the agenda packets. The use of the rezoned parcel would be compatible with the surrounding parcels. Staff recommends the approval of Z-17-02, with the condition that Parcel 301-14-005 shall be allowed to conduct retail sales within a typical sized "road side stand" on the side of the property that fronts Pine Creek Canyon Road. I will be happy to answer any questions you may have at this time. Also, the owner of Parcel 005 is here to answer any questions you may have as well. Mickie Nye asked if anyone had any questions. Terry Otts had a question concerning the business doing well and if

any truck shipping would be involved and if so, where would the truck park to get loaded? Would this be an issue, because I am not familiar with the highways there? Scott Buzan introduced Terry Gorton, the owner of Parcel 005, because she would be able to answer the question better than he would be able to. Terry Gorton stated that the nature of the commercial activity really is all generated primarily on site, so in regards to trucks making deliveries or anything like that, the answer is no. We are selling lavender fresh flowers and some products that we make on site. We source some of the products from a facility near Snowflake, but we just go and pick those up. Even with an expansion, I can't imagine there would be anything delivered to the property by any trucking company or outside vendors. Terry Gorton asked if that answered Terry Otts question. Terry Otts stated that it partially did. He asked again about shipping to other cities; if they had a big shipment that needed to be delivered. Would a shipping company come in and is there room for that? I am just thinking of a safety concern for the general public. Terry Gorton stated that all of our online sales and shipping are sent from another facility. I don't anticipate having any big shipments come from our location because they are the main facility for our lotions and things like that. Mary Lou Myers added that they have worked extremely hard, made a beautiful contribution to Pine and it certainly does fit in with our comprehensive plan. I think the community has been considerably supportive of this and very happy when they leave there. Mickie Nye asked if there were any more comments from the Commission.

Mary Lou Myers motioned that they recommend approval to the Board of Supervisors for agenda item number 6, Z-17-02, Gorton & Hunt, an application to amend the Gila County Zoning Ordinance for parcels 301-14-005 and 301-14-010E currently designated for Residential Use (R1-D12) to Transitional Residential (TR) to bring parcels consistent with current zoning on a portion of Parcel 301-14-010E and zone appropriately for expanded farm use on Parcel 301-14-005. With the following condition: Parcel 301-14-005 shall be allowed to conduct retail sales within a typical sized "road side stand" on the side of the property that fronts Pine Creek Canyon Road. Bill Marshall seconded the motion. The motion was unanimously approved.

7. **Call to the Public:** Call to the Public is held for public benefit to allow individuals to address the Planning & Zoning Commission on any issue within the jurisdiction of the Commission.

Mickie Nye asked Scott Buzan if there was anyone up there that would like to speak. Scott Buzan stated that he does believe there is. Patrick Moore, Beeline Guest House, located at 4042 North Hwy. 87, Pine AZ. I have been experiencing some problems with noise issues. Basically, I am here to hopefully protect my investment. Three years ago I purchased some property and put a lot of money into it. I have been trying to work through this with Gila County and have run into a few problems. We are still in the process of working through this, but I am thinking for future development, of possibility some actions being taken, that can decrease road noise by implementing an ordinance that would reduce the use of Jake-Brakes through the Pine/Strawberry area. This would

probably alleviate a lot of the noise up in the Portals area. The noise travels up and there are trucks that ride their Jake-Brakes all the way through town. Having some sort of noise ordinance after a certain hour at night and before a certain hour in the morning would be beneficial. I feel it is very important to keep the tranquility and peacefulness in the beautiful area of Pine and Strawberry. I also think we should be able to move in that direction. Mickie Nye stated that he appreciated Mr. Moore's comments. I do believe Pine/Strawberry is a beautiful area and I am going to suspect the best thing we can do right now is to ask staff to look into the potential ordinances that we might bring to bear. There might be some things we can do and we will certainly ask staff to look into this and come back and make some recommendations. Scott Buzan stated that the way he understands it, is the direction for staff to look into it would have to come from the County Manager or the Board of Supervisors. Also stating that he can't take direction from the Commission as a means to look into it. Mickie Nye stated that was news to him, but we can certainly make a phone call to the Supervisors. Darwin Huber, lives in Pine, AZ. I am also a member of the Pine/Strawberry Future Visioning Committee, which also helped revise the area's plan. I would like to say that the lavender farm fits right into it. Also, the noise and light pollution were a big issue when we amended the plan. I totally support what Patrick Moore is saying. Mickey Hunt, lives in Pine, AZ. Wants to say that the yelling and screaming, the truck noise, and loud sound of the pallets dropping that comes from The Pine Ice Company is horrible for the residential people. He also wanted to state that the lavender farm is the nicest thing that has come to Pine, AZ. Terry Gorton asked if it was ADOT that was in charge of people Jake-Braking in town. She also stated that she thinks that is a really important thing for us to consider.

8. **Adjournment.** Mary Lou Myers made a motion to adjourn the meeting and Bill Marshall seconded the motion. The Motion to adjourn was unanimously approved at 10:22 a.m.